



EUROPEAN PARLIAMENT

DIRECTORATE-GENERAL FOR RESEARCH
DIRECTORATE A
DIVISION FOR INTERNATIONAL AND CONSTITUTIONAL AFFAIRS

FACTSHEET

MALTA

Chapter 23 - Consumers and health protection

1. The *acquis* ¹

The *acquis* covers the areas of misleading advertising, product liability, doorstep sales, consumer credit, dangerous imitations, package travel and holiday tours, product safety, unfair terms in consumer contracts, time-share, distance selling, comparative advertising, prices on foodstuffs, guarantees on sale of consumer goods and injunctions. There is also a Council Decision establishing a Community system of information on home and leisure accidents (EHLASS) and three Commission Decisions on a consumer committee and scientific committees. Two further Commission Decisions were adopted in February 2000 concerning on-the-spot checks in the veterinary field.

The Commission considers that the need to grant consumer rights and ensure free competition and circulation of goods is still greater in the candidate countries than in the present EU. The harmonisation of consumer protection rules is considered essential to the elimination of market barriers and the creation of an integrated economic space.

The Commission considers that, in general, the formal legal transposition of the *acquis* is proceeding quite satisfactorily. Further efforts at alignment are needed for the new *acquis* in the areas of injunctions for the protection of consumer interests and for aspects of the sale of consumer goods and associated guarantees. However, all the candidates have stated that they will implement the new *acquis* and provide a calendar for the transposition of Community rules.

2. The negotiations

The chapter has been closed with ten countries and provisionally closed with Bulgaria and Romania. All the countries have stated that they are ready to implement fully all the *acquis* before the date of accession with no exceptions or transitional periods.

¹ Information largely drawn from the European Commission, DG Enlargement
<http://europa.eu.int/comm/enlargement/negotiations/index.htm>

Chapter opened: October 2000

Status: closed in December 2002 (provisionally closed in October 2000)

Transitional arrangements: none

3. Latest Assessment by the European Commission ¹

In the 1999 update of its Opinion, the Commission concluded that much of the Maltese legislation was not in line with the *acquis* and that considerable work was still needed to ensure transposition of the *acquis*.

Since the update of the Opinion, Malta has made progress in transposing most of the *acquis* in this area. The development of mechanisms for market surveillance activities and consumer protection is underway. Malta's legislation is largely in line with the *acquis* and the creation of a general consumer protection system does not seem to pose major problems.

Negotiations on this chapter have been provisionally closed. Malta has not requested any transitional arrangements. Malta is generally meeting the commitments it has made in the accession negotiations in this field.

In order to complete preparations for membership, Malta's efforts now need to focus on completing alignment with the *acquis* developing a comprehensive strategy to make market surveillance mechanisms fully operational.

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¹ European Commission, Regular Report on Malta, 2002, p.90:
http://www.europa.eu.int/comm/enlargement/report2002/ml_en.pdf